

## REMARKS

The *Ex parte Quayle* Office Action dated June 6, 2007, has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

The Office Action indicated that the application is in condition for allowance except for formal matters. Applicants thank the Examiner for this indication of allowance. Applicants respectfully submit that the formal matters can be resolved by reference to a previous submission.

The Office Action stated that the oath or declaration is defective because it does not properly identify the foreign priority document by application number, country, day, month, and year of filing. Applicants respectfully disagree. A Substitute Declaration filed November 14, 2005, at item 1 (especially the portion of item 1 on page 2) thereof, clearly complies with the requirement to identify the foreign priority application.

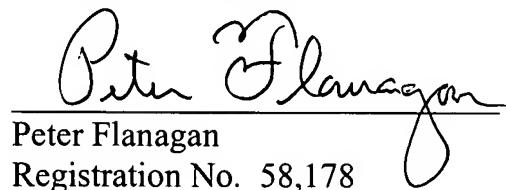
Applicants respectfully submit that the USPTO's electronic records may have poorly indexed the previously submitted Substitute Declaration, and, thus, the Examiner may be referring to deficiencies in the original declaration filed January 28, 2004, which are rendered moot by the Substitute Declaration.

Regardless of the cause why the Substitute Declaration was apparently overlooked, a fully compliant Substitute Declaration has already been made of record in the USPTO. A copy of the Substitute Declaration, as printed from the electronic files of the USPTO, and bearing the stamp of the USPTO, is enclosed for the Examiner's

convenience. The Substitute Declaration fully and clearly complies with 37 C.F.R. 1.67(a) (see particularly the portion of item 1 of the Substitute Declaration, on page 2 thereof). Accordingly, withdrawal of the objection to the declaration, and timely consideration of the application is respectfully requested.

In the event this paper is not being timely filed, Applicants respectfully petition for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

  
Peter Flanagan  
Registration No. 58,178

**Customer No. 32294**  
SQUIRE, SANDERS & DEMPSEY LLP  
14<sup>TH</sup> Floor  
8000 Towers Crescent Drive  
Tysons Corner, Virginia 22182-2700  
Telephone: 703-720-7800  
Fax: 703-720-7802  
PCF/mmi

Enclosure: Copy of Substitute Declaration filed November 14, 2005